

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOHN T. WILLIAMS, et. al.,

Case No. 3:22-cv-00230-ART-CLB

Plaintiffs,

ORDER

JANET F. KING, ET. AL.,

Defendants.

Pro se Plaintiffs bring this action under 42 U.S.C. § 1983 and *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), relating to underlying criminal proceedings and convictions that occurred in the State of Georgia. (ECF No. 1-2.) Plaintiffs assert these claims against Defendants District Court Judge Janet F. King and Circuit Court Judge Richard J. Sullivan and seek declaratory and monetary relief. (*Id.* at 5, 27.) Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Carla Baldwin (ECF No. 3), recommending the *in forma pauperis* application (“IFP”), (ECF No. 1), be granted, and the complaint, (ECF No. 1-2), be dismissed, without prejudice. Objections to the R&R were due by June 7, 2022. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the

1 magistrate judges' findings and recommendations is required if, but *only* if, one
2 or both parties file objections to the findings and recommendations.") (emphasis
3 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that
4 the Court "need only satisfy itself that there is no clear error on the face of the
5 record in order to accept the recommendation.").

6 Because there is no objection, the Court need not conduct de novo review,
7 and is satisfied Magistrate Judge Baldwin did not clearly err. Here, Magistrate
8 Judge Baldwin reviewed the application to proceed IFP and found that Plaintiffs
9 cannot pay the filing fee. She therefore recommends the IFP be granted. Judge
10 Baldwin also found that there is no indication that any of the individual
11 defendants reside in the District of Nevada and the underlying criminal
12 proceeding took place in the District of Georgia. She just recommends that
13 dismissal is warranted based on lack of personal jurisdiction and improper
14 venue.

15 This Court agrees with Judge Baldwin. Having reviewed the R&R and the
16 record in this case, the Court will adopt the R&R in full.

17 IT IS THEREFORE ORDERED that Magistrate Judge Baldwin's Report and
18 Recommendation (ECF No. 3) is accepted and adopted in full.

19 IT IS FURTHER ORDERED that Plaintiffs' application to proceed in
20 forma pauperis, (ECF No. 1), be GRANTED;

21 IT IS FURTHER ORDERED that the complaint, (ECF No. 1-2), be
22 DISMISSED, WITHOUT PREJUDICE, to the extent Plaintiffs can assert plausible
23 claims for relief in the correct court; and,

24 IT IS FURTHER ORDERED that this action be CLOSED and that
25 judgment be entered accordingly

26 DATED THIS 22nd Day of September 2022.

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ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE